Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 916-09685-2177-145	Date: 06/24/16	Time: 2116	
Location: [redacted] Miner Street	City or Station: Los Angeles		
Bureau/Station/Facility: Central Patrol Division/Century Station	Admin. Investigation: ○ YES ◉ NO		
Type of Force: O.C Spray, Taser, Personal Weapons, Control Holds			
Incident Category: ○1 ○2 ◉3	Deputy Injury: ◉ YES ○ NO	Suspect Injury ◉ YES ○ NO	
☐ Call	☒ Observation	☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: ◉YES ○ NO	Person Notified: Lt. Dennis Waters	Emp: [redacted]	IAB Roll Out ◉ YES ○ NO

Involved Employee

E1

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle I. [redacted]	Rank: DSG		
Sex: [redacted]	Race: [redacted]	Height: [redacted]	Weight: [redacted]	Age: [redacted]	Shift: [redacted]	[redacted]
Unit of Assignment: Century Station	Work Assignment (Unit #, Module, etc.): [redacted]					
Individual Force Used: Personal Weapons	○ Directed ○ Rescue ○ Medical Assist	Individual Category ○1 ○2 ◉3				
☒ Injured ☒ Treated ☐ Admitted	Facility: U.S Healthworks	Coroner Case #				

E2

Employee #: [redacted]	Last Name: Ochoa-Garcia	First Name: Richard	Middle I.	Rank: DSG		
Sex: ◉ M ○ F	Race: H	Height: 600	Weight: 250	Age: 28	Shift: ○ EM ○ Day ◉ PM	◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Century Station	Work Assignment (Unit #, Module, etc.): [redacted]					
Individual Force Used: Personal Weapons, O.C. Spray, Resistive Handcuffing	○ Directed ○ Rescue ○ Medical Assist	Individual Category ○1 ○2 ◉3				
☒ Injured ☐ Treated ☐ Admitted	Facility: U.S Healthworks	Coroner Case #				

E3

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle I. [redacted]	Rank: DSG		
Sex: [redacted]	Race: [redacted]	Height: [redacted]	Weight: [redacted]	Age: [redacted]	Shift: [redacted]	[redacted]
Unit of Assignment: Century Station	Work Assignment (Unit #, Module, etc.): [redacted]					
Individual Force Used: Taser	○ Directed ○ Rescue ○ Medical Assist	Individual Category ○1 ◉2 ○3				
☐ Injured ☐ Treated ☐ Admitted	Facility: N/A	Coroner Case #				

☒ Additional Involved Employees

On Duty Supervisor

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Ovalle	Jose	M	Sgt.	YES ○ NO ◉	YES ○ NO ◉

Supervisor Completing Investigation

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Arellano	Thomas	M	Sgt.	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp. #	Last Name	First Name	Middle I.	Rank
[redacted]	Giandominico	Thomas	A	Lt.

Lt. Corall (IAB) [signature] 5/16/17

Watch Commander / Supervising Lieutenant's **Signature**: Date Copy Provided to Employee by: Emp #:

Unit Commander **(Print Name)** Unit Commander's **Signature**: Emp #: Date

DISCOVERY Use Only
FO# 2406526

☒ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation

916 - 09685 - 2177 - 145

Involved Employee

E4

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]	[redacted]	DSG

Sex:	Race:	Height:	Weight:	Age:	Shift:	
(•) M ( ) F	W	600	230	27	( ) EM ( ) Day (•) PM	(•) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment: Mens Central Jail
Work Assignment (Unit #, Module, etc.): Ride-a-long with Unit [redacted]

Individual Force Used: Control Holds
( ) Directed ( ) Rescue ( ) Medical Assist
Individual Category: (•) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: N/A
Coroner Case #

E5

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]	[redacted]	DSG

Sex:	Race:	Height:	Weight:	Age:	Shift:	
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Unit of Assignment: Century Station
Work Assignment (Unit #, Module, etc.): [redacted]

Individual Force Used: Taser
( ) Directed ( ) Rescue ( ) Medical Assist
Individual Category: ( ) 1 (•) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: N/A
Coroner Case #

E6

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]	[redacted]	DSG

Sex:	Race:	Height:	Weight:	Age:	Shift:	
(•) M ( ) F	H	508	200	34	(•) EM ( ) Day ( ) PM	(•) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment: Century Station
Work Assignment (Unit #, Module, etc.): 216F

Individual Force Used: Control Holds
( ) Directed ( ) Rescue ( ) Medical Assist
Individual Category: (•) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility:
Coroner Case #

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
( ) M ( ) F					( ) EM ( ) Day ( ) PM	( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment:
Work Assignment (Unit #, Module, etc.):

Individual Force Used:
( ) Directed ( ) Rescue ( ) Medical Assist
Individual Category: ( ) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility:
Coroner Case #

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
( ) M ( ) F					( ) EM ( ) Day ( ) PM	( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment:
Work Assignment (Unit #, Module, etc.):

Individual Force Used:
( ) Directed ( ) Rescue ( ) Medical Assist
Individual Category: ( ) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility:
Coroner Case #

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

9 1 6 - 0 9 6 8 5 - 2 1 7 7 - 1 4 5

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Mcinnis	Keegan	P

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Century Station	216F	◉ EM ○ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
		○ EM ○ Day ○ PM	○ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
		○ EM ○ Day ○ PM	○ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☐ **Additional Witness**

Supervisor's Report on Use of Force
SUSPECT INFORMATION

9 1 6 - 0 9 6 8 5 - 2 1 7 7 - 1 4 5

Suspect Information

S 1

Last Name	First Name	Middle Name	Armed? Select
Smith	Terah	Rayshawn	Not Armed

AKA Last Name | First Name | Middle Name

Sex:	Race:	Age:	Height:	Weight	D.O.B:	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
(X) Male ( ) Female	Blk	25	600	230	10/02/90	[redacted]	[redacted]

Street Address:	City:	State & Zip Code:
2245 E. 99th Place	Los Angeles	CA, 90002

Booking #: 4704217 Primary Charge Code: 69PC Secondary Charge Code: 11377(a)H&S [redacted] Criminal History

Treated on Scene? (X) YES ( ) NO Name: LACO Fire, Capt Mcyntire Unit: Eng 143 Phone #: (323) 585-5002

Hospital Admission? [ ] Rec'd Treatment At: St. Francis Hospital Coroner Case #: N/A Mental History [ ] User's guide provides direction on this entry

By: Physician Osgood Address: 3630 E. Imperial Hwy, Lynwood Phone #: (310) 900-8900

Under Influence: ( ) YES (X) NO Substance: 5150 a factor in force? ( ) YES (X) NO User's guide provides direction on this entry

Suspect Interview

Date: 06/25/16 Time: 0611 [X] Audiotape: [X] Videotape: [X] Photos of Injuries: [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name | First Name | Middle Name | Armed? Select

AKA Last Name | First Name | Middle Name

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ○ H ○ W ○ C | Phone #2: ○ H ○ W ○ C

Street Address: | City: | State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: [ ] Criminal History

Treated on Scene? ( ) YES ( ) NO By: Unit: Phone #:

Hospital Admission? [ ] Rec'd Treatment At: Coroner Case #: Mental History [ ] User's guide provides direction on this entry

By: Address: Phone #:

Under Influence: ( ) YES ( ) NO Substance: 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: Time: [ ] Audiotape: [ ] Videotape: [ ] Photos of Injuries: [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name | First Name | Middle Name | Armed? Select

AKA Last Name | First Name | Middle Name

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ○ H ○ W ○ C | Phone #2: ○ H ○ W ○ C

Street Address: | City: | State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: [ ] Criminal History

Treated on Scene? ( ) YES ( ) NO By: Unit: Phone #:

Hospital Admission? [ ] Rec'd Treatment At: Coroner Case #: Mental History [ ] User's guide provides direction on this entry

By: Address: Phone #:

Under Influence: ( ) YES ( ) NO Substance: 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: Time: [ ] Audiotape: [ ] Videotape: [ ] Photos of Injuries: [ ] ADMITS HEARING ANNOUNCEMENTS

[ ] **Additional Suspects Involved**

Supervisor's Report on Use of Force

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Smith	S#1	[redacted]	E#1	PP/TD	AB/CP	EL
[redacted]	E#1	Smith	S#1	CT/HR	NN	BK/SH
Smith	S#1	[redacted]	E#1	RS/UC	NN	CH
[redacted]	E#1	Smith	S#1	PP	SD	FA
Ochoa	E#2	Smith	S#1	CT/HR	NN	AR/WR
Smith	S#1	Ochoa	E#2	PH	CP	CH
Smith	S#1	[redacted]	E#1	RS/PP	NN	CH
Ochoa	E#2	Smith	S#1	PH	BR/SD	FA
Smith	S#1	[redacted]	E#1	RS/HR	NN	CH
Ochoa	E#2	Smith	S#1	PH	BR/FR	FA
Smith	S#1	[redacted]	E#1	RS/HR	NN	CH
Ochoa	E#2	Smith	S#1	OC	NN	FA
[redacted]	E#4	Smith	S#1	CT	NN	AR/WR
[redacted]	E#6	Smith	S#1	CT	NN	AR/WR
Smith	S#1	[redacted]/[redacted]	E#4/E#6	RS/HR	NN	AR/WR
[redacted]	E#5	Smith	S#1	TR	NN	BK
Smith	S#1	[redacted]	E#5	RS/HR	NN	
[redacted]	E#3	Smith	S#1	TR	PW	AD
Ochoa	E#2	Smith	S#1	RH	NN	AR/WR
[redacted]	E#6	Smith	S#1	RH	NN	AR/WR
[redacted]	E#4	Smith	S#1	RH	NN	AR/WR

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT: **Use of Force, Category 3, Fractured Orbital**

IAB FILE NUMBER: **FO 2406526**

URN: **916-09685-2177-145**

DATE/TIME: **June 24, 2016, Friday, 2116 hours**

LOCATION: [redacted] **Miner Street, Los Angeles**

SYNOPSIS

On Saturday, June 25, 2016, an Internal Affairs Bureau (IAB) team comprised of Lieutenant Dennis Waters, Sergeant Jeff Smith, and Sergeant Thomas Arellano responded to Century Station regarding a Category 3 Use of Force. The force incident involved Suspect Terah Smith (herein referred to as Suspect Smith) sustaining a right orbital wall fracture. Suspect Smith was transported to St. Francis Medical Center where he was medically evaluated and treated for his injuries. Suspect Smith was subsequently medically cleared for booking. Deputies [redacted] and Richard Ochoa sustained injuries during the incident and were subsequently treated medically. All reports documenting this incident were submitted under Uniform Report Number, **916-09685-2177-145 [EXHIBIT A].**

On June 24, 2016, at approximately 2116 hours, Century Station Deputies, [redacted] and Richard Ochoa, were patrolling the 9000 block of Miner Street, unincorporated, Los Angeles County, an area familiar to them for vehicle thefts and vehicle burglaries. Deputies [redacted] and Ochoa were assigned to Century Station's Summer Enforcement Team (Unit [redacted]), working as radio car partners for approximately [redacted]. Sergeant Jose Ovalle was their team sergeant. Their shift began at [redacted] hours, and they were scheduled to work until [redacted]. Deputy [redacted] was driving, and Deputy Ochoa was the bookman. As they traveled south on Minor Street in their marked black and white patrol vehicle, they observed a tan colored Chevy Tahoe parked along the east curb on Minor Street, facing north. Deputy [redacted]'s and Deputy Ochoa's attention was drawn to a male black adult (later identified as Suspect Smith) sitting in the driver's seat of the vehicle. Suspect Smith had adjusted his position in the driver's seat, and appeared to conceal himself behind the vehicle's door pillar as their patrol car advanced forward. **(Refer to transcribed interviews, Deputy [redacted], page 4, and Deputy Ochoa, page 3).**
Deputies [redacted] and Ochoa recognized Suspect Smith's actions as an attempt to avoid detection.

Based on the circumstances presented before them, Deputies [redacted] and Ochoa formed the opinion Suspect Smith may be involved in a vehicle burglary or vehicle theft. **(Refer to transcribed interviews, Deputy [redacted], page 3, and Deputy Ochoa, page 3).**

Deputy [redacted] stopped their patrol vehicle in the southbound traffic lane, parallel with Suspect Smith's vehicle. Deputy [redacted] exited the patrol car and contacted Suspect Smith at the driver's door of the vehicle. Deputy Ochoa took a position behind, and to the right of Deputy [redacted]. Upon approaching Suspect Smith, Deputies [redacted] and Ochoa smelled an odor of marijuana emitting from within Suspect Smith's vehicle. Suspect Smith was the sole occupant of the vehicle. **(Refer to transcribed interviews, Deputy [redacted], page 3, and Deputy Ochoa, page 3).**

Deputy [redacted] directed Suspect Smith to exit his vehicle, and Suspect Smith complied. Deputy [redacted] conducted a cursory search of Suspect Smith then placed him in the driver's side, rear seat of their patrol car for a backseat investigative detention. Deputies [redacted] and Ochoa said Suspect Smith was compliant, cooperative, and walked to their patrol car without incident. **(Refer to transcribed interviews, Deputy [redacted], page 5, Deputy Ochoa, pages 4 and 5).**

Once Suspect Smith was secure in the rear seat of the patrol car, Deputy [redacted] searched Suspect Smith's vehicle for the source of the marijuana odor. Deputy Ochoa utilized the MDC to run Suspect Smith for Wants and Warrants. Deputy Ochoa discovered Suspect Smith had an [redacted] for [redacted]. **(Refer to Deputy Daily Worksheet, Unit [redacted], 06/24/16, 2120 hrs.) [EXHIBIT B].** Deputy Ochoa withheld this information from Suspect Smith and approached Deputy [redacted] outside of the patrol vehicle. **(Refer to transcribed interviews, Deputy [redacted], Pages 5 and 6, Deputy Ochoa, pages 3 and 5).**

Deputy Ochoa informed Deputy [redacted] of Suspect Smith's [redacted] status. Deputy [redacted] advised Deputy Ochoa that he recovered marijuana and a small amount of methamphetamine from the interior of Suspect Smith's vehicle. Upon exchanging their findings, they concluded Suspect Smith would be taken into custody for the discovered violations. Deputies [redacted] and Ochoa approached the driver's side rear door of the patrol car in preparation of handcuffing Suspect Smith. **(Refer to transcribed interviews, Deputy [redacted], Pages 5 and 6, Deputy Ochoa, page 6).**

Deputies [redacted] and Ochoa first attempted a handcuffing technique they frequently employed which afforded an additional officer safety feature. They lowered the rear driver's side door window and instructed Suspect Smith to turn away from them and place his hands behind his back. This handcuffing technique allowed them to handcuff a suspect through the open window, reducing the chances of an altercation. Due to Suspect Smith's large stature (6'00", 230 lbs.), it was quickly discovered this handcuffing technique was not a practical option. **(Refer to transcribed interviews, Deputy [redacted], Pages 6-8, Deputy Ochoa, pages 6-8).**

Due to Suspect Smith's cooperative and nonresistant behavior, Deputies [redacted] and Ochoa discussed a plan to open the patrol car door to handcuff Suspect Smith. Deputy [redacted] positioned himself in front of the patrol car door with Deputy Ochoa positioned to his right. Directions were given to Suspect Smith to turn his body away from them. Suspect Smith complied with the direction. As the door to the patrol car opened, Suspect Smith suddenly, and unexpectedly, turned and rushed out of the patrol car. Suspect Smith tackled Deputy [redacted] to the ground. Deputy [redacted] landed on his back with Suspect Smith landing face down on top of Deputy [redacted]'s left arm. Deputy Ochoa immediately requested the duplex patch, broadcasting they were involved in a fight. **(Refer to radio transmission audio, Dispatch-4 [EXHIBIT C], and transcribed interviews, Deputy [redacted], pages 8-11, and Deputy Ochoa, Pages 8-10).**

Deputy [redacted] freed his arm from beneath Suspect Smith and attempted to control him by mounting his back, utilizing his body weight to restrain Suspect Smith on the ground. Suspect Smith was able to repeatedly lift his body off the ground, ignoring commands to stop fighting and to put his hands behind his back. Deputy [redacted], realizing Suspect Smith was overpowering him, positioned his right arm over Suspect Smith's right shoulder, across Suspect Smith's body in an attempt to position himself to apply a carotid restraint. Suspect Smith continued to push his body off the ground, causing Deputy [redacted] to lose his balance, preventing him from gaining a position to apply a carotid restraint. **(Refer to transcribed interviews, Deputy [redacted], Pages 11-13, and page 19, and Interview #2, Pages 2-4).**

Deputy Ochoa was positioned on the right side of Suspect Smith, attempting to control Suspect Smith's right arm for handcuffing. Suspect Smith continued to push his body off the ground attempting to free himself. Deputies [redacted] and Ochoa countered Suspect Smith's actions by utilizing their body weight on Suspect Smith's back to push him back onto the ground. This caused Suspect Smith's face to strike the asphalt, on at least three of their attempts to restrain him onto the ground. **(Refer to Deputy [redacted]'s supplemental report, page 2, transcribed interview, pages 11-14, and Deputy Ochoa's Incident report, page 5, and transcribed interview, pages 10-13).**

As Deputy Ochoa attempted to control Suspect Smith's right hand, Suspect Smith struck him in the chest several times with his right elbow. Deputy Ochoa said the impacts caused the wind to be knocked out of him. **(Refer to transcribed interview, Deputy Ochoa, page 14).** Deputy Ochoa used his right fist to strike Suspect Smith on the right side of his face three to four times, attempting to stop Suspect Smith's assaultive and resistive behavior. The facial strikes by Deputy Ochoa did not appear effective, as Suspect Smith continued his attempts to free himself by pushing himself up from the ground. Verbal commands by both Deputies [redacted] and Ochoa to Suspect Smith to stop fighting and to place his hands behind his back continued without compliance. Deputy Ochoa struck Suspect Smith and additional three times on the right side of Suspect Smith's face as Suspect Smith continued to push himself up from the ground. Realizing his efforts to stop Suspect Smith's assaultive and resistive behavior were ineffective, Deputy Ochoa resorted to his Oleoresin Capsicum (O.C.) and sprayed

a two to three second burst at Suspect Smith's face, in an attempt to stop Suspect Smith's assaultive and resistive behavior. This too showed no effect, as Suspect Smith continued to resist. **(Refer to transcribed interview, Deputy Ochoa, pages 14-15).**

Units [redacted], Deputies [redacted] and [redacted], 216F, Deputies Mcinnis and [redacted], and [redacted], Deputy [redacted], arrived on scene at the approximate same time. As the arrived, they observed Deputies [redacted] and Ochoa struggling on the ground with Suspect Smith.

IAB NOTE: Deputy [redacted] was assigned as a [redacted] for Deputy Vanessa Guzman, #[redacted]. Deputy [redacted] responded to the assistance request without Deputy Guzman, as she was at the station report writing, and Deputy [redacted] was returning to the station when the emergency radio traffic was broadcast.

Deputy [redacted] said Deputy [redacted] was on Suspect Smith's back, and it appeared he was attempting to place his arm around Suspect Smith's neck to apply a carotid restraint. He said Suspect Smith was pushing his body up from the ground, attempting to get Deputy [redacted] off of his back. Deputy [redacted] said the odor of OC spray was in the air, which caused him to believe multiple force options had already been deployed. Deputy [redacted] said it appeared Suspect Smith was overpowering Deputy [redacted]. Deputy [redacted] placed a firm grip on Suspect Smith's left wrist in an attempt to control his left hand for handcuffing. Deputy [redacted] assisted Deputy [redacted] by also grasping Suspect Smith's left arm. Deputy Ochoa continued his attempts to control Suspect Smith's right hand. **(Refer to transcribed interview, Deputy [redacted], pages 2-5).**

Deputy Mcinnis observed Suspect Smith on the ground with Deputies [redacted] and Ochoa on Suspect Smith's back. Suspect Smith was thrashing his body, attempting to break free from Deputies [redacted] and Ochoa. Deputy Mcinnis discovered a loaded firearm magazine on the ground near Suspect Smith's legs. Not knowing if Suspect Smith was armed, Deputy Mcinnis kicked the firearm magazine away and announced his discovery to the deputies on scene. As Deputy Mcinnis scanned the area for an unsecured firearm, he heard the sound of a taser being deployed. Shortly after hearing the sound of the taser, he observed Suspect Smith being handcuffed. Deputy Mcinnis told IAB investigators he did not witness who fired the taser. **(Refer to transcribed interview, Deputy Mcinnis, pages 2-4).**

IAB NOTE: Deputy [redacted] told IAB investigators that at one point during this incident, Suspect Smith grabbed onto his duty belt, removing one of his firearm magazines. Deputy [redacted] said he believed Suspect Smith was attempting to disarm him. (Refer to transcribed interview, [redacted], page15).

Deputy [redacted] observed Deputy [redacted] attempting to apply a carotid restraint on Suspect Smith, while Deputy Ochoa was attempting to control Suspect Smith's right arm. Deputy [redacted] said Deputy [redacted]'s attempt at the carotid restraint was ineffective as Suspect Smith attempted to free himself by pushing his body up from the ground. Deputy [redacted] said Suspect Smith was overpowering Deputies [redacted] and Ochoa. Deputy [redacted], witnessing the attempts to control Suspect Smith were ineffective, announced he would be deploying his taser. **(Refer to transcribed interview, Deputy [redacted], pages 7-16).**

Deputy [redacted], after hearing the taser announcement, got off of Suspect Smith's back to expose Suspect Smith for the taser deployment. Deputies [redacted] and [redacted], still unable to control Suspect Smith's hands, released their grip as the taser was being deployed. Suspect Smith continued to ignore repeated commands to place his hands behind his back as he tried to get up onto his feet.

Deputy [redacted] told Suspect Smith to stop fighting, then depressed the trigger of his taser three to four times, only to discover his taser would not activate. Deputy [redacted] realizing the malfunction of Deputy [redacted]' taser, announced he was going to deploy his taser. Deputy [redacted] deployed his taser in the drive stun mode on Suspect Smith's upper back (two (2), five second cycles). **(Refer to Taser X26P, activation report, Serial #[redacted], activation sequence #763 and #764, Miscellaneous Documents).** Deputy [redacted] saw minimal effect as Suspect Smith continued his assaultive behavior, concealing his hands underneath his body and attempting to get up onto his feet. **(Refer to transcribed interviews, Deputy [redacted], page 11, and Deputy [redacted], page 7).**

> **IAB NOTE: As Deputy [redacted] removed his taser from its holster, the front cover plate of the cartridge fell off, causing the exposed wires to fall out of the cartridge. To avoid a malfunction, Deputy [redacted] removed the cartridge and deployed the taser in the drive stun mode. (Refer to transcribed interview, [redacted], page 7).**

Suspect Smith, in an attempt to get onto his feet, turned onto his right shoulder exposing the left side of his front torso. Deputy [redacted] continued his attempts to activate his taser. The taser darts launched as intended, impacting Suspect Smith's front torso. Deputy [redacted] cycled the taser for 13 seconds, (two completed 5 second cycles, and three seconds into the third cycle) before Deputies Ochoa, [redacted] and [redacted] were able to handcuff Suspect Smith with minimal resistance. **(Refer to transcribed interview, Deputy [redacted], 12-15, and Taser X26, activation report, Serial #X00-[redacted], activation sequence #0102, Miscellaneous Documents).**

IAB NOTE: Deputy [redacted]' taser activation report identified a thirteen second activation on June 24, 2016, at 21:40:49 hours, (sequence #102). According to interview statements, Deputy [redacted] activated his taser at approximately 21:24 hours, shortly after Deputy [redacted]'s taser activation.

The last calibration of Deputy [redacted]' taser was on January 1, 2015. The calibration report revealed a nineteen minute, forty-two second, time discrepancy from the actual time.

There were no other taser activations documented on Deputy [redacted]' taser activation report for June 24, 2016.

Sergeant Ovalle arrived on scene as Suspect Smith was handcuffed and treated medically by Fire Department personnel. Sergeant Ovalle told IAB investigators all Department personnel who were involved in this incident reported their involvement to him and submitted written documentation **[EXHIBIT A].**

Sergeant Ovalle evaluated Deputy [redacted]'s actions and determined a carotid restraint was not applied to Suspect Smith, but rather a control hold. **(Refer to transcribed interview, Ovalle, page 3-4**).

Sergeant Ovalle held a debriefing with all involved personnel and discussed optional tactical handcuffing techniques, including the techniques deployed during this incident.

Los Angeles County Fire Department, Engine #143, under the direction of Captain Mcyntire arrived on scene and provided medical aid to Suspect Smith.

Suspect Smith was transported by ambulance to St. Francis Medical Center for medical evaluation and treatment and was issued Patient #[redacted]. Suspect Smith was medically evaluated by Physician Jonathan Osgood, DO, who discovered Suspect Smith suffered a right orbital wall fracture. Suspect Smith was medically cleared for booking.

Deputies [redacted] and Ochoa suffered superficial injuries as a result of this incident and were treated medically.

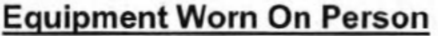
INVOLVED EMPLOYEE AND WORK HISTORY

[redacted], Deputy Sheriff, #[redacted]
Central Patrol Division
Century Station

Work History

Date of Employment: [redacted]
Date Assigned to Patrol/Century Station: [redacted]

Date Completed Patrol Training: [redacted]
Prior Founded Force Incidents: [redacted]



Equipment Worn On Person
Duty Firearm
Magazines (2)
OC Spray
Handcuffs (2)
Baton (in vehicle)
Radio

INVOLVED EMPLOYEE AND WORK HISTORY
Richard Ochoa-Garcia, Deputy Sheriff, #[redacted]
Central Patrol Division
Century Station

Work History
Date of Employment: July 25, 2007
Date Assigned to Patrol/Century Station: January 25, 2015
Date Completed Patrol Training: [redacted]
Prior Founded Force Incidents: [redacted]

Equipment Carried On Person
Duty Firearm
Magazines (2)
OC Spray
Handcuffs (2)
Flashlight
Radio
Baton (in vehicle)

INVOLVED EMPLOYEE AND WORK HISTORY
[redacted], Deputy Sheriff, #[redacted]
Central Patrol Division
Century Station

Work History
Date of Employment:
Date Assigned to Patrol/Century Station:
Date Completed Patrol Training
Prior Founded Force Incidents:


[redacted]

Equipment Carried On Person
Duty Firearm
Magazines (2)
OC Spray

Handcuffs (2)
Flashlight
Taser
Radio
First Aid Tourniquet

INVOLVED EMPLOYEE AND WORK HISTORY
[redacted], Deputy Sheriff, #[redacted]
Custody Division,
Population Management Bureau (MCJ)

Work History
Date of Employment: July 11, 2013
Date Assigned to Unit: MCJ [redacted]
Date Completed Patrol Training: [redacted]
Prior Founded Force Incidents: [redacted]

Equipment Carried On Person
Duty Firearm
Magazines (2)
OC Spray
Handcuffs (2)
Radio

INVOLVED EMPLOYEE AND WORK HISTORY
[redacted], Deputy Sheriff, #[redacted]
Central Patrol Division
Century Station

Work History
Date of Employment: [redacted]
Date Assigned to Patrol/Century Station: [redacted]
Date Completed Patrol Training: [redacted]
Prior Founded Force Incidents: [redacted]



Equipment Carried On Person
Duty Firearm
Magazines (2)
OC Spray
Handcuffs (2)
Flashlight
Taser
Radio

INVOLVED EMPLOYEE AND WORK HISTORY

[redacted], Deputy Sheriff, #[redacted]
Central Patrol Division
Century Station

Work History

Date of Employment:	December 05, 2007
Date Assigned to Patrol/Century Station	February 21, 2015
Date Completed Patrol Training:	[redacted]
Prior Founded Force Incidents:	

Equipment Carried On Person

Duty Firearm
Magazines (2)
OC Spray
Handcuffs (2)
Flashlight
Radio
Expandable Baton

SUSPECT INFORMATION

Terah Rayshaun Smith
Male, Black, DOB: October 02, 1990, 6'00", 230 pounds
2245 E. 99th Place, Los Angeles CA, 90002
CII# [redacted], MAIN #[redacted], FBI #[redacted]

> **IAB NOTE: A copy of Suspect Smith's [redacted] is included as [EXHIBIT D].**

SUSPECT'S INJURIES

Suspect Smith was treated for OC spray exposure at the scene of the incident by Los Angeles County Fire Department, Engine #143, under the direction of Captain Mcyntire. Suspect Smith was transported by ambulance to St. Francis Medical Center for a medical evaluation and the removal of taser darts. Suspect Smith sustained visible injuries, which included swelling to the right side of his face and right eye. He had a small laceration below his right eye and redness to his left eye. Suspect Smith had superficial scratches above his left eye, left shoulder, and scrapes on his left elbow.

Suspect Smith was examined by St. Francis Medical Center Emergency Department, Registered Nurse Mish, and attending Physician, Jonathan Osgood, DO. Suspect Smith was diagnosed with a right eye orbital wall fracture, right face hematoma, and right subconjunctival hemorrhage. Subject Smith was medically cleared for booking. Physician Osgood told IAB investigators the injuries Suspect Smith sustained were consistent with being involved in a fight and struck on the eye with a fist. **(Refer to St. Francis Medical Center Discharge Instructions, and follow up medical reports, Miscellaneous Documents).**

IAB NOTE: IAB investigators took digital photographs and digital video images documenting Suspect Smith's injuries [EXHIBIT E].

DEPUTY PERSONNEL INJURIES

Deputy [redacted] suffered pain and an approximate one and a half inch circular abrasion to his left elbow. He was treated at US HealthWorks under case#[redacted].

Deputy Ochoa suffered pain to his right knee and right shoulder. He was treated at US HealthWorks under case#[redacted].

Digital images of Deputy [redacted]'s and Deputy Ochoa's injuries were taken by Sergeant Ovalle and copied onto a Compact Disc. **(Refer to Miscellaneous Documents).**

PHYSICAL EVIDENCE

Marijuana and narcotics.

INVESTIGATOR'S OBSERVATIONS

The 9000 block of Miner Street is a north/south, two lane street in a partially developed industrial area. The area was illuminated with staggered street lighting along the east side of the street. Suspect Smith's vehicle was parked adjacent to an undeveloped parcel of land.

Approximately nine hours transpired from the use of force incident to IAB investigators observations. IAB investigators canvased the area in an attempt to identify and locate video surveillance cameras and possible witnesses. Neither were located or identified.

IAB investigators digitally photographed the scene and downloaded the images onto a CD, which is included in **Miscellaneous Documents.**

IAB NOTE: IAB investigators received a CD containing scene photographs taken by Century Station personnel shortly after the incident. The CD and photo copies of those digital images are included in (Miscellaneous Documents).

WEAPONS USED BY DEPUTY [redacted]

Deputy [redacted] used personal weapons (hands).

WEAPONS USED BY DEPUTY RICHARD OCHOA

Deputy Ochoa used personal weapons (fist) and OC Spray and control holds.

WEAPONS USED BY DEPUTY [redacted]

Deputy [redacted] used an X26 Taser.

WEAPONS USED BY DEPUTY [redacted]
Deputy [redacted] used control holds.
WEAPONS USED BY DEPUTY [redacted]
Deputy [redacted] used an X26 Taser.

WEAPONS USED BY DEPUTY [redacted]
Deputy [redacted] used control holds.

WEAPONS USED BY SUSPECT TERAH SMITH
Suspect Terah Smith used personal weapons.

PROPERTY DAMAGE BY SUSPECT TERAH SMITH
None.

CRIMINAL INVESTIGATORS AND CHARGES FILED

INVESTIGATOR: Century Station Detective Antonio Garcia #[redacted].

COURT: Southeast Superior Court, Norwalk.

CHARGES: On June 28, 2016, the District Attorney's Office filed the following charges against Suspect Smith:
Two counts of **69PC** - Resist an executive officer in the performance of his or her lawful duty, by force or violence.
One count of **11377 H&S** – Possession of Methamphetamine.
DA **Case #VA142261**.

On June 28, 2016, Suspect Smith plead not guilty to all charges. He was released from custody on a $50,000.00 bond.

On April 3, 2017, Motion 1538.5 PC was denied.

On April 17, 2017, Suspect Smith was held to answer an all charges.

A Pretrial conference was set for May 15, 2017, 0830, in Department SE-M.

A date for Jury Trial is scheduled for June 6, 2017, 0830, in Department SE-M.

LIGHTING AND WEATHER CONDITIONS
The incident occurred during the hours of darkness. The area was illuminated by overhead street lamps. A neighboring industrial parcel provided additional ambient lighting. The weather was clear and cool.

WITNESS STATEMENTS
No non-Department witnesses were identified.

EMPLOYEE WITNESS

On April 13, 2017, **Deputy Keegan Mcinnis #[redacted],** was interviewed by Internal Affairs Bureau Sergeants Thomas Arellano and Paul Valle. The interview took place at Internal Affairs Bureau and was digitally audio recorded. Deputy Mcinnis chose not to have representation. For complete statements made, more information, and precise wording, see attached verbatim interview transcription.

INVOLVED EMPLOYEES

On August 8, 2016, and April 13, 2017, **Deputy** [redacted], **#**[redacted] was interviewed by Internal Affairs Bureau Sergeants Thomas Arellano and Paul Valle. The interviews took place at Internal Affairs Bureau and were digitally audio recorded. Deputy [redacted] was represented by Sherrie Lawrence of Green & Shinee. For complete statements made, more information, and precise wording, see attached verbatim interview transcription.

On August 11, 2016, **Deputy Richard Ochoa, #**[redacted], was interviewed by Internal Affairs Bureau Sergeants Thomas Arellano and Paul Valle. The interview took place at Internal Affairs Bureau and was digitally audio recorded. Deputy Ochoa was represented by Sherrie Lawrence of Green & Shinee. For complete statements made, more information, and precise wording, see attached verbatim interview transcription.

On August 8, 2016, **Deputy** [redacted]**, #**[redacted], was interviewed by Internal Affairs Bureau Sergeants Thomas Arellano and Paul Valle. The interview took place at Internal Affairs Bureau and was digitally audio recorded. Deputy [redacted] was represented by Sherrie Lawrence of Green & Shinee. For complete statements made, more information, and precise wording, see attached verbatim interview transcription.

On August 11, 2016, **Deputy** [redacted]**, #**[redacted], was interviewed by Internal Affairs Bureau Sergeants Thomas Arellano and Mark Lopez. The interview took place at Internal Affairs Bureau and was digitally audio recorded. Deputy [redacted] was represented by Sherrie Lawrence of Green & Shinee. For complete statements made, more information, and precise wording, see attached verbatim interview transcription.

On August 10, 2016, **Deputy** [redacted]**, #**[redacted], was interviewed by Internal Affairs Bureau Sergeants Thomas Arellano and Mark Lopez. The interview took place at Internal Affairs Bureau and was digitally audio recorded. Deputy [redacted] chose not to have representation. For complete statements made, more information, and precise wording, see attached verbatim interview transcription.

On April 3, 2017, **Deputy** [redacted]**, #**[redacted], was interviewed by Internal Affairs Bureau Sergeants Thomas Arellano and Carmen Arballo. The interview took place at Internal Affairs Bureau and was digitally audio recorded. Deputy [redacted] was represented by Sherrie Lawrence of Green & Shinee. For complete statements made, more information, and precise wording, see attached verbatim interview transcription.

The following narrative is intended only as a synopsis of the interview. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interview and verbatim transcription.

SUSPECT TERAH SMITH STATEMENTS

IAB investigators interviewed Suspect Smith on June, 25, 2016, at approximately 0611 hours at Century Regional Detention Center. The interview was audio and video recorded. A copy of the video recorded interview is included in **[EXHIBIT E].**
Suspect Smith told IAB investigators he was sitting in his car reading a book. He was a few blocks from his residence when two deputies arrived and detained him. He said the deputies told him to get out of his car. Suspect Smith asked the deputies if he was under arrest and if they were going to search his car. The deputies told him he was not under arrest and to just get out of the car. He told the deputies he would not allow them to search his car. He said the deputy (Subject [redacted]) pulled him out of his car and put him in the back seat of their patrol car. **(Refer to transcribed interview, Suspect Smith, page 2-3).**

Suspect Smith said one of the deputies searched his car while the other deputy asked him basic questions, such as his name and vehicle owner information. He said the deputy who searched his car returned and told him he was going to jail. Suspect Smith questioned why he was going to jail after being told he was not under arrest.

Suspect Smith said he attempted to exit the patrol car as the deputy opened the car door. Suspect Smith told the deputies to let him go because he was not under arrest. He said one of the deputies tried to prevent him from exiting the patrol car by pushing the car door closed against him. Suspect Smith said he tried harder to exit the patrol car, and was pushed to the ground, causing his face to hit the pavement. He said the deputies held him on the ground for a few minutes, repeatedly telling him to put his hands behind his back. Suspect Smith said he complied and placed his hands behind his back. Suspect Smith said a deputy then pushed his face toward the ground and punched him three times. **(Refer to transcribed interview, Suspect Smith, pages 3, 4, 7, and 8).**

Suspect Smith said the deputies sprayed his eyes with pepper spray and tased him in the stomach. He said the taser caused his body to seize, and he felt as if he was going to black out. Suspect Smith said additional deputies arrived after he was handcuffed. Suspect Smith said he believed he was cooperative during this incident and denied assaulting deputies. **(Refer to transcribed interview, Suspect Smith, pages 9-11).**

ADDITIONAL INFORMATION

IAB investigators contacted the following Department personnel who responded, but did not witness the use of force:

Deputy John Hwang, #[redacted]
Deputy Gregory Schaefer, #[redacted]
Deputy Mario Juarez, #[redacted]
Sergeant Jose Ovalle, #[redacted]

Documentation of these conversations are attached as miscellaneous documents.

REVIEW OF EMERGENT RADIO TRAFFIC

Internal Affairs Bureau Sergeant Thomas Arellano reviewed the audio recording of the emergent radio traffic, (dispatch-4) and L-Tac-9, radio traffic, communicated by Century Station personnel.

At approximately **2122 hours**, Unit [redacted] (Deputy Ochoa) initiated emergency radio traffic over Dispatch-4. Deputy Ochoa broadcast that deputies were involved in a fight and provided the location. Aero acknowledged the radio traffic and advised they were in route. Unit 216S, acknowledged the radio traffic. SCC advised that fire will be staging.

Century Station personnel acknowledged the emergency radio traffic and advised SCC of their response times.

At approximately **2124 hours**, responding units advised they are seconds away. SCC advised fire was staging. Shortly afterward, Aero advised they were overhead and stated deputies are still struggling with the suspect. Aero advised four, then five units, were now on scene, and an additional two units were arriving.

At Approximately **2125 hours,** Aero advised that deputies advised "Code-4" over L-Tac-9. Unit 216F, broadcast Code-4 over Dispatch-4 and provided direction for fire to roll in.

> **IAB Note**: **A Compact Disc containing the audio recording of the emergent radio traffic and L-tac communication is included as [EXHIBIT C].**